



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
LANSING

SUSAN CORBIN
ACTING DIRECTOR

EMPLOYMENT RELATIONS COMMISSION JANUARY 12, 2021 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act 1976 PA 267, as amended, the Michigan Employment Commission met on January 12, 2021. The meeting was held via Zoom pursuant to MCL 15.263.

CALL TO ORDER

Samuel Bagenstos, Commission Chairperson, called the meeting to order at 10:00 a.m.

ROLL CALL

Members Present: Samuel Bagenstos, Commission Chair
Robert S. LaBrant, Commission Member
Tinamarie Pappas, Commission Member

Staff Present: Sidney McBride, Interim Bureau Director
Micki Czerniak, Labor Mediator
Carl Wexel, Administrative Law Specialist
Denise Hinneburg, Elections Officer
Ashley Rahrig, Departmental Analyst
Deborah Stewart, Senior Executive Management Assistant
Tracy Marr, Mediation Secretary

APPROVAL OF AGENDA

MOTION by LaBrant, seconded by Pappas, to adopt the proposed agenda as presented.

A vote was held: Yeas – Bagenstos, LaBrant, Pappas
Nays – None
MOTION CARRIED

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b. Hot Issues:

- Recent cases of special interest relate to issues involving Act 312 eligibility, application of the 3-year contract bar rule and the effectiveness of a tentative agreement on the filing date of the representation petition by a rival union.

c. Miscellaneous:

- Budget. The prior hiring freeze has been lifted considering the need to fill some critical positions. However, budget concerns continue as discretionary spending remains on hold.

2. The next regular meeting of the Commission was confirmed for **Tuesday**, February 9, 2021 at 10:00 a.m. using Zoom videoconferencing. It was moved by Commissioner LaBrant and seconded by Commissioner Pappas to approve the meeting date and time. A vote was called--Bagenstos, Aye; LaBrant, Aye; Pappas, Aye. MOTION CARRIED

DECISIONAL AGENDA

The Commission decided the following matters:

- * ***Ypsilanti Community Schools and Teamsters Local 243 and Freeman and Harris***, Case Nos. 19-H-1710-CE, 20-A-0017-CE and 20-A-0016-CE

Carl Wexel summarized the dispute in this case. It was moved by Commissioner Pappas and seconded by Commissioner LaBrant to adopt recommendations of the ALJ. A vote was called—LaBrant, Aye; Pappas, Aye; Bagenstos, Aye. MOTION CARRIED.

- * ***Garden City and MEA, Reconsideration Request***, Case No. CU18 F-020

Carl Wexel summarized the reconsideration motion. The Commissioners reiterated that its prior decision was in accordance with current law and the facts of the case and noted the proper avenue for relief is with the Legislature. It was moved by Commissioner LaBrant and seconded by Commissioner Pappas to deny the reconsideration request. A vote was called—LaBrant, Aye; Pappas, Aye; Bagenstos, Aye. MOTION CARRIED.

TENTATIVE DECISIONAL AGENDA FOR NEXT MEETING

University of Michigan Health System and University of Michigan House Officers Association, Case No. 19-H-1721-CE.

Commission Chair Bagenstos noted that he has recused himself would not be participating in any aspect of this matter.

NEW BUSINESS

None.

OLD BUSINESS

Rules Revision project. Commissioners reviewed a summary document that highlighted several areas of proposed changes. The conceptual changes had been derived from discussions among staff having dealt with ULPs, contract and election cases. The next step in the process is being outlined by the agency's work group. The timeline for beginning the formal process in Spring 2021.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business before the Commission at this time, Commissioner Pappas moved to adjourn the meeting and seconded by Commissioner LaBrant that the meeting be adjourned at 10:35 a.m. A vote was called. Bagenstos, Aye; LaBrant, Aye; Pappas, Aye. MOTION CARRIED.